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PARTICIPANTS:

The Secretary, Henry A. Kissinger

Mr. Sisco, Under Secretary for Political Affairs Mr. Saunders, Deputy Assistant Secretary for Near

Eastern and South Asian Affairs Mr. Leigh, Legal Adviser

Jerry Bremer - Notetaker

SUBJECT:

The Middle East

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DISTRIBUTION:

S, Memcon Book, LPB Chron, NSC - Rodman

Sisco: That was the first time I'd heard Antunes. I was impressed.

The Secretary: He's good. He's grown a lot in the last year. We need him.

Sisco: Have you looked at this Lebanon package (handing Secretary a memo)?

The Secretary: I'm not so eager to talk to the Soviets. It will just give them an excuse to get into the act.

Sisco: Well, it's just been included there because it's an option to consider. What I really want is your clearance on number 2. The Russian thing can wait.

The Secretary: Ramsbotham says the EC Nine is making a demarche to all Arabs to maintain Lebanese integrity. He asked for my views. I don't see how we can comment on it.

Sisco: I saw in the tickers the Arabs may be having a meeting on that.

The Secretary: It's not all that good. They could wind up sending in an inter-Arab force. Have you talked to the Pentagon on the Israeli supply problem?

Sisco: No. I think it has to be Brent. My call to Clements would be no good. Schlesinger has given these orders so Brent must call over to Schlesinger.

ON-FILE NSC RELEASE INSTRUCTIONS

The Secretary: Well, just get me the list.

State Dept. review completed

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Saunders: We are releasing all of the stuff under State control.

The Secretary: But will the Pentagon let it go?

Saunders: Yes, they will. Their list is not that great.

The Secretary: Well, give me the list and I'll talk to Brent.

As far as the Israelis are concerned, we should give them a rundown about what we know about Lebanon.

Sisco: Look at the cable there. I think that does it without preaching to them.

The Secretary: No, it does just what I don't want. I don't want paragraph 5 in there. I know you would have made a great preacher. In the first round, I just want to elicit their views.

Sisco: We'll generalize it a little bit more.

The Secretary: I wouldn't mind telling them our analysis is that a basic shift is going on and the problem is how to manage it without outside intervention. Tell them the Europeans are approaching the Arabs. The Israelis must feel that they are now, after the agreement, better off with us. Next year we have to squeeze them. I want to use these things to create a different atmosphere without giving them massive equipment.

Give them a few paragraphs of what's going on there. Tell them our analysis is that war in Lebanon might threaten the Egyptian agreement. We agree that the Christian element must be preserved but there is a point where their obduracy becomes an incentive to intervention.

Sisco: The Taqla cable is just a short follow-up to the morning meeting.

The Secretary: Say specifically who should we approach and what should we say publicly, if anything.

Fahmy's response, except for the tone, is really not all that bad.

Sisco: It is that bad. He turned us down. Have you seen this cable? (handing Secretary a cable)

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The Secretary: But he agrees to keep the letter a secret.

Sisco: Well, our reply tells Herman not to hit him over the head.

The Secretary: Did we send along the legal analysis?

Saunders: Herman has it with him.

The Secretary: He should also show him my SFRC statement and the legal analysis. These things are hard to separate from the historical context in which they were made. We told Sadat everything and on the whole, Israel was the net loser.

Sisco: I think we can say it more strongly. We can say the net effect is to water down these commitments.

The Secretary: That's right -- and considering what Israel asked for, there was nothing great that remained. He should take our word and stop harping at us.

Sisco: One other thing is on the Hawk missiles -- where the King has said he wants us to hurry up the delivery program. We think this cable closes it (handing the Secretary a cable).

The Secretary: (reading cable) Okay.

Send this one through Toon. But one of us has got to see it a little later this evening. Since we'll both be at dinner, have it sent over to us at dinner.

Also, the Israelis asked our assessment of the Asad trip. Say we don't know anything yet. We do have an intelligence report on Karame and his role.

Saunders: I think we should be careful with that. Godley talked to Karame. It didn't sound as if he should be taken too literally.

The Secretary: Okay, tell them about the Asad trip. Has Murphy ever delivered our letter?

Bremer: Yes, he delivered it to someone in the Presidency.

The Secretary: (reading replies to Jackson questions on Sinai) Now, Monroe, you'll do it the way I want it. Blood will flow if you don't.

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I don't want to tie it only to those which are legally binding. I know Jackson. If you keep harping on the legally binding thing, he'll go and turn on the others. Summarize what we did in the 1974 agreements. All the assurances were submitted. Three memoranda of understanding were submitted to the committee. Therefore, you can write a much more confusing answer if you work on it.

Leigh: In the past cases we put in the pass-through assurances.

The Secretary: Yes, but I don't want to get into that. Say of course in this period, there were more diplomatic exchanges of a general nature. If you focus on the legally binding ones, you know what he'll do.

Leigh: He'll ask for the others.

The Secretary: Right.

Sisco: To show you how seriously we take it, we never even did an analysis of the other memos.

The Secretary: I guarantee they were no more binding.

Sisco: Less so.

The Secretary: So why be defensive about it? We gave them all the documents on that before and the other documents on the assurances. The whole record is before the SFRC. Plus there was the normal diplomatic exchange over the period on which we've briefed the committee fully.

Leigh: Would you make that last statement leaving out legally binding exception? Tell him there are none?

The Secretary: That's not his question. The cuter you get the worse he'll be. You have two choices. Either I can write it or you do it.

Leigh: Maybe we should have Jerry try it again.

The Secretary: We submitted all the documents. Some were legally binding, some were not. We did that in 1973 and in 1974. This contains the written record of the assurances. Then tell him that some were binding and some were not. That will get it confused. Then there are general statements of intent and those have no legally binding commitments. Say there is a two year diplomatic record. There were two sentences in

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that testimony as prepared last night saying that we're not saying this has every word but none that are left out are legally binding. That is appropriate here. I want the answers sufficiently confused to overwhelm him with detail.

What is the problem? We found a formula for this agreement, we gave more to them than in the last.

Leigh: That comes close to the formula that Jerry had in last night.

The Secretary: No, no, no. Describe in great detail what they have. I want you to maneuver him into a position where if he asks for anything, he's asking for every cable or letter and then I'll say, "No." They'll try to force out every letter to Sadat and Asad. The answer must look sufficiently complete. This is an invitation to a massacre because it is all hung on the issue of legally binding. Do you understand it now?

Leigh: It's very subtle; I'll try my best.

The Secretary: Do it like my statement. Say there are four categories of documents. Explain which ones are binding and which ones are not binding. Tell him we gave the documents on all the previous accords. We gave the documents on binding and non-binding. Also we gave them other commitments. We believe they have the whole record. In addition, there is the whole record of diplomatic talks over two years. You do this and Perle will ask for all the non-legally binding ones. Case at least has the upbringing of a gentleman. These guys are bastards.